



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Michael P. SIOK et al.

Group Art Unit: 3661

Application No.: 10/689,984

Examiner: B. BROADHEAD

Filed: October 22, 2003

Docket No.: 113474

For: SYSTEMS AND METHOD FOR MANAGING AIRPORT OPERATIONS

**AFFIDAVIT UNDER 37 C.F.R. §1.132**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

I, Michael P. Siok, a citizen of the United States of America, hereby declare and state:

1. I have a degree in Computer Science which was conferred upon me by The University of Maryland in College Park, Md in December in 1984.
2. I am the Director of Airport Communications within the Network Solutions Division of ARINC and have been employed by ARINC since 1988 and I have had more than 17 years of work, research and experience in the field of aircraft/airline communications and airport operations, as well as detailed knowledge of FAA operations and the interaction between Airlines, airports, and Aviation Authorities including the FAA and various CAA's.
3. My duties include overall engineering and business unit responsibility for the Airport Communication services offered by ARINC to our customers, the airlines and airport within the Americas.
4. I am familiar with the above-identified application and its contents.
5. I am informed that at least the independent claims of the above-identified application are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,913,912

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to Nishimura et al. (Nishimura), presumably for disclosing an airport operations managing system, as recited in the rejected claims. Further, it is alleged that one skilled in the art would consider the flight strips management method and system disclosed in Nishimura to correspond to an airport operations management system as recited in the rejected claims.

6. I have carefully studied the patent application and the applied reference of Nishimura, to determine whether, from the information contained therein, I or one skilled in the art of airport operations would understand "flight strips management" to be an "airport operations managing system", as recited in the rejected claims, or if one skilled in the art would recognize or consider "flight strips management" as disclosed in Nishimura to correspond to an "airport operations management system", as recited in the rejected claims.

7. From the information in the application and the applied references, taken with the generally known knowledge I have from working in the field of airport operations, I believe anyone else having ordinary skill in this art would not interpret a "flight strips management" as disclosed in Nishimura as an airport operations management system. Within the aviation community "flight strips" are a tool used as a safety of life function within the air traffic control (ATC). Flight strips allow ATC to track and modify information about aircraft and their flight plans. ATC does not manage airport operations but rather is responsible for the safety of the aircraft and those people on-board. Flight-strips are a tool used as a safety of life tool to accomplish the mission of ATC. One of ordinary skill in the art would not interpret flight strips management to correspond to an airport operations management system.

8. I am aware of many attempts to automate flight strips management. Nishimura describes one method to automate the traditional card flight strips.

9. I hereby declare that all statements made therein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and

further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom

Date:

Nov, 18, 2005

Michael R. Smith

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